

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ASTRAZENECA AB, AKTIEBOLAGET
HÄSSLE, ASTRAZENECA LP, KBI INC.,
and KBI-E INC.,

Plaintiffs and
Counterclaim-Defendants,
v.

HANMI USA, INC., HANMI
PHARMACEUTICAL CO., LTD., HANMI
FINE CHEMICAL CO., LTD, and HANMI
HOLDINGS CO., LTD.,

Defendants and
Counterclaim-Plaintiffs.

Civil Action No. 3:11-CV-00760-JAP-TJB

Judge Joel A. Pisano
Magistrate Judge Tonianne J. Bongiovanni

**DECLARATION OF PATRICK L. CHEN IN SUPPORT OF PLAINTIFFS' BRIEF IN
SUPPORT OF THEIR MOTION TO PRECLUDE DEFENDANTS FROM RELYING ON
EVIDENCE OF EXPERIMENTS PERFORMED BY MR. BRACKEEN FOR WHICH
SAMPLES AND DOCUMENTATION HAVE NOT BEEN PRODUCED**

I, Patrick L. Chen, hereby declare as follows,

1. I am an associate at the law firm of Fitzpatrick, Cella, Harper & Scinto, 1290 Avenue of the Americas, New York, New York 10104-3800, counsel for Plaintiffs AstraZeneca AB, Aktiebolaget Hässle, AstraZeneca LP, KBI Inc., and KBI-E Inc. in connection with the present action.

2. I make this Declaration on my personal knowledge in support of Plaintiffs' Motion *in Limine* to Preclude Defendants from Relying on Evidence of Experiments Performed by Mr. Brackeen for Which Samples and Documentation Have Not Been Produced.

3. Attached as Exhibit 1 is a true and correct copy of the February 19, 2013 Expert Report of Marcus F. Brackeen.

4. Attached as Exhibit 2 is a true and correct copy of the February 19, 2013 Expert

Report of Jerry L. Atwood, Ph.D.

5. Attached as Exhibit 3 is a true and correct copy of the April 8, 2013 Reply Expert Report of Jerry L. Atwood, Ph.D.

6. Attached as Exhibit 4 is a true and correct copy of excerpts from the transcript of the April 26, 2013 deposition of Jerry L Atwood, Ph.D.


7. Attached as Exhibit 5 is a true and correct copy of the March 25, 2013 Rebuttal Expert Report of Stephen G. Davies, D.Phil. on Validity.

8. Attached as Exhibit 6 is a true and correct copy of the April 17, 2013 Sur-Reply Expert Report of Stephen G. Davies, D.Phil. Concerning Validity.

9. Attached as Exhibit 7 is a true and correct copy of a letter, and exhibits thereto, from John E. Flaherty, Esq. to Hon. Tonianne J. Bongiovanni, U.S.M.J. dated March 18, 2013

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 29, 2013



Patrick L. Chen